

Amendment to 09/710183 dated 23 January 2006
Responsive to Office Action mailed 21 October 2005

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REMARKS

Claims 1-44 are pending after this amendment.

In the Office Action mailed 21 October 2005, the Examiner allowed claims 19-26, 35, 40 and 42.

Claims 39-44 have been amended to replace "storing program code" with "storing computer-readable program code", as suggested by the Examiner.

35 USC §112, First Paragraph (Written Description)

The Examiner has requested clarification regarding the masks in the context of this application. The Examiner is referred to page 7, lines 23-34 of the description, which explains that a mask may be used to indicate which pixels of a tile have a particular color.

The Examiner has also requested clarification with respect to reference number 36. An explanation of reference number 36 may be found at page 8, line 16 to page 9, line 4 of the description.

35 USC §102 (Anticipation)

The Office Action cites Ostrovsky (US 6,128,406) in relation to claims 1-2, 5-8, 18, 27-28, 36-39, 41 and 43-44. As understood, Ostrovsky teaches a method of compressing an image by dividing the image into 8 pixel by 8 pixel blocks and individually processing all of the blocks. (See col. 4, ln. 40-42 & 55).

Claims 1 and 39 recite "*comparing* the required number of masks with a threshold number of masks" and "*if the required number of masks is less than the threshold number of masks*, generating computer-readable instructions to represent the tile using one or more techniques selected from a group consisting of fills and masks" (emphasis added). Ostrovsky fails to disclose these features. There is nothing in Ostrovsky to suggest any comparison with a threshold.

Furthermore, Ostrovsky teaches away from the method of claim 1 and the system of claim 39. As stated above, in the method of Ostrovsky all of the blocks of the image are individually processed in sequence. There is no discussion in Ostrovsky of any possibility of applying the compression process to only some blocks of the image.

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All of the other independent claims of this application against which Ostrovsky has been cited recite similar features. For example:

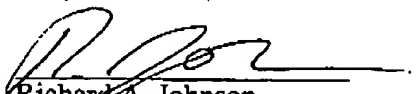
- Claims 27 and 41 recite "***comparing*** the required number of masks with a threshold number of masks" and "***if the required number of masks is less than the threshold number of masks***, generating computer-readable instructions to represent the tile with each of the identified colors as a mask" (emphasis added);
- Claims 36 and 43 recite "***determining whether a data savings can be achieved*** by using masks to represent the tile, said data savings determination ***based on the required number of masks and a threshold number of masks***" and "***if a data savings is possible***, (A) selecting a color in the tile; (B) generating computer-readable instructions to represent the pixels in an area of the tile with the selected color as a mask; (C) repeating steps (A)-(B) for each additional identified color, if any, in the tile" (emphasis added); and,
- Claims 37 and 44 recite "***determining whether a data savings is achievable*** using an index to represent the colors in the tile" and "***if a data savings is achievable***, representing the tile using an index" (emphasis added).

As stated above, Ostrovsky fails to disclose making any comparison to a threshold or any determination as to whether a data savings is achievable. Ostrovsky in fact teaches away from the features recited in the independent claims of this application, since the compression process of Ostrovsky is unconditionally applied to all of the blocks. For at least these reasons, the Applicant submits that claims 1-44 are patentable over Ostrovsky.

The Applicant submits that this application, as amended, is in condition for allowance. The applicant respectfully requests reconsideration and allowance of claims 1-44 in light of the foregoing amendments and remarks.

Respectfully submitted,

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